

# CITY OF NEWPORT BEACH ZONING ADMINISTRATOR AGENDA

Newport Beach City Hall, Council Chambers 3300 Newport Boulevard Wednesday, January 11, 2012 – 3:30 p.m.

Brenda Wisneski, Zoning Administrator

Staff Members:

Melinda Whelan, Assistant Planner Fern Nueno, Assistant Planner Erin Steffen, Planning Technician

### A) CALL MEETING TO ORDER

### B) MINUTES OF DECEMBER 14, 2011

# C) PUBLIC HEARING ITEMS

Item No. 1. B Candy – Minor Use Permit No. UP2011-032 (PA2011-200)

3100 East Coast Highway

Council District 5

Summary: A minor use permit application for an ice cream and candy shop (take-out service, limited

eating and drinking establishment) with six seats within an existing vacant commercial space of approximately 1,513 square feet. The proposed hours of operation are 10:00 a.m. to 10:00

p.m., daily.

Recommended

Action:

1) Conduct public hearing; and

2) Approve Minor Use Permit No. UP2011-032 (PA2011-200)

subject to the recommended findings and conditions.

**CEQA** 

Compliance:

The project is exempt from environmental review pursuant to Section 15301, of the California Environmental Quality Act (CEQA) Guidelines - Class 1 (Existing Facilities) of the

Implementing Guidelines of the California Environmental Quality Act.

Item No. 2. Chaba Thai Massage and Spa – Minor Use Permit No. UP2011-033 (PA2011-202)

1000 N. Bristol Street, Suite 19 Council District 4

Summary: A minor use permit application for a massage establishment located in a 1,200-square-foot

suite within an existing shopping center. The center is developed with four (4) multi-tenant buildings and a surface parking lot with 222 spaces. The proposed establishment includes five (5) massage rooms and a reception/waiting area. The proposed hours of operation are

from 10:00 a.m. to 9:00 p.m.

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This hearing is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Zoning Administrator's agenda be posted at least seventy-two (72) hours in advance of each regular hearing and that the public be allowed to comment on agenda items before the Zoning Administrator and items not on the agenda but are within the subject matter jurisdiction of the Zoning Administrator. The Zoning Administrator may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or a participant at this hearing, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the Community Development Department at least forty-eight (48) hours prior to the hearing to inform us of your particular needs and to determine if accommodation is feasible at 949-644-3200.

Recommended

Action: 1) Conduct public hearing; and

2) Approve Minor Use Permit No. UP2011-033 (PA2011-202)

subject to the recommended findings and conditions.

CEQA

Compliance: The project is exempt from environmental review pursuant to Section 15301, of the California

Environmental Quality Act (CEQA) Guidelines - Class 1 (Existing Facilities) of the

Implementing Guidelines of the California Environmental Quality Act.

Item No. 3. Corporate Plaza West Monument Sign - Modification Permit No. 2011-019 (PA2011-210)

1600 Newport Center Drive Council District 5

Summary: A modification permit to allow the construction of a freestanding monument sign located along

East Coast Highway. The sign is proposed to be a maximum 3 feet 11 inches high by 8 feet wide, including the base, with a sign area of 16 square feet and identify tenant names. The

property is located in the PC-40 (Corporate Plaza West) District.

Recommended

Action: 1) Conduct public hearing; and

2) Approve Modification Permit No. MD2011-019 (PA2011-210)

subject to the recommended findings and conditions.

**CEQA** 

Compliance: The project is exempt from environmental review pursuant to Section 15311, of the California

Environmental Quality Act (CEQA) Guidelines - Class 11 (Accessory Structures) of the

Implementing Guidelines of the California Environmental Quality Act.

## D) PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Zoning Administrator. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Zoning Administrator has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

## E) ADJOURNMENT

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

Any writings or documents provided to the Zoning Administrator regarding any item on this agenda will be made available for public inspection in the office of the Planning Division located at 3300 Newport Boulevard, during normal business hours.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.